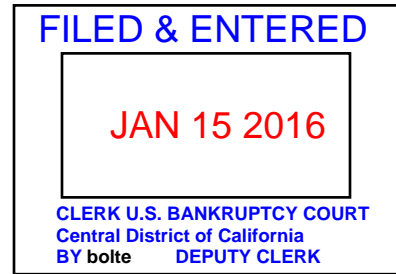


Nanette D. Sanders (State Bar No. 120169)
nanette@ringstadlaw.com
RINGSTAD & SANDERS LLP
2030 Main Street, 16th Floor
Irvine, CA 92614
Telephone: 949-851-7450
Facsimile: 949-851-6926

General Bankruptcy Counsel for Bradley Sharp,
Chapter 7 Trustee



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re
MARC JOSEPH SPIZZIRRI,

Debtor.

Case No. 8:13-bk-14702-MW

Chapter 7 Proceeding

**ORDER GRANTING DEBTOR'S MOTION TO
DISMISS CHAPTER 7 BANKRUPTCY CASE
UNDER 11 U.S.C. §§ 105, 305(a) AND 707(a)**

Date: January 11, 2016
Time: 2:00 p.m.
Place: Courtroom 6C
411 W. Fourth Street
Santa Ana, CA 92701

The Debtor's Motion to Dismiss Chapter 7 Bankruptcy Case Under 11 U.S.C. §§ 105, 305(a) and 707(1) (the "Motion") [Docket No. 871], came on for hearing before the Honorable Mark S. Wallace, United States Bankruptcy Judge, on January 11, 2016, at 2:00 p.m. in the above-entitled Court. Appearances were as noted on the record.

The Court having read and considered the Motion, the Declarations and evidence submitted in support thereof, the Reply of Bradley Sharp, the Chapter 7 trustee for the bankruptcy estate of Marc Joseph Spizzirri (the "Debtor") [Docket No. 880], the Reply to the Motion filed by Goe & Forsythe, LLP, former counsel for the Official Committee of General Unsecured Creditors (the "Committee") [Docket No. 876], the Opposition to the Motion filed by Mach-1 RSMH, LLC,

1 Mach-1 Autogroup and Craig Baptiste (collectively, the “Mach-1 Creditors”) [Docket No. 881],
2 and related evidentiary objections (the “Evidentiary Objections”) [Docket Nos. 882 and 883], the
3 Response to the Motion filed by Hines & Shankman, LLP, former counsel for the Committee
4 [Docket No. 879], the Notice of Joinder to the Opposition of the Mach-1 Creditors filed by
5 Nichols Capistrano Associates [Docket No. 884], the Opposition to the Motion filed by Winthrop
6 Couchot Professional Corporation, former Ch. 11 special conflicts counsel for Debtor [Docket
7 No. 885], the Debtor’s Reply to the Mach-1 Creditors’ Opposition [Docket No. 887], and the
8 arguments of counsel, and good cause appearing therefor,

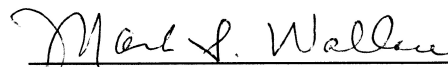
9 **IT IS HEREBY ORDERED** that:

10 1. The Evidentiary Objections of the Mach-1 creditors are overruled in their entirety
11 for the reasons stated on the record;

12 2. Final fee applications shall be heard on **February 29, 2016 at 2:00 p.m.**, with fee
13 applications to be filed and served on or before **January 29, 2016**, and any objections thereto
14 filed and served on or before **February 12, 2016**. Per the request of the Trustee, orders allowing
15 final fees and expenses may provide for the entry of judgments so that any professional who
16 chooses to may pursue its claim for unsatisfied allowed fees against the unadministered assets of
17 the estate which will be abandoned to the Debtor following dismissal; and,

18 3. The Motion is granted and the case will be dismissed, with a 180-day bar to any
19 re-filing by the Debtor, effective twenty (20) days after entry of judgments or orders on final fee
20 applications.

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24 Mark S. Wallace
United States Bankruptcy Judge

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Date: January 15, 2016